



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

4949-A Cox Road, Glen Allen, Virginia 23060

(804) 527-5020 Fax (804) 527-5106

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Michael P. Murphy  
Regional Director

March 23, 2016

Mr. Harold S. Thacker  
Director of Post Collection Operations  
Waste Management of Virginia, Inc.  
Charles City County Landfill  
8000 Chambers Road  
Charles City County, Virginia 23030

Location: Charles City County  
Registration No: 51254  
AIRS ID No: 51-036-0014

Dear Mr. Thacker:

Attached is an administrative amendment to the renewal permit to operate the Waste Management of Virginia, Inc. Charles City County Landfill pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution. This permit incorporates provisions from the NSR permit dated August 18, 2010.

The permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on August 11, 2015 and solicited written public comments by placing a newspaper advertisement in the Style Weekly on August 12, 2015. The thirty-day public comment period (provided for in 9 VAC 5-80-270) expired on September 11, 2015. No comments were received from the public during the 30-day public notice period. The EPA provided several minor comments that were resolved during the 45-day period which ended September 27, 2015.

This approval to operate does not relieve Waste Management of Virginia, Inc. Charles City County Landfill of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

David K. Paylor, Director  
Department of Environmental Quality  
P.O. Box 1105  
Richmond, Virginia 23218

If this permit was delivered to you by mail, three days are added to the thirty day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decision of administrative agencies.

If you have any questions concerning this permit, please call "Sparky" H.L. Lisle, Jr. at 804-527-5148.

Sincerely,



James E. Kyle, P.E.  
Air Permit Manager

JEK/hll/ 51254\_CoverLet\_03232016.docx

Attachment: Permit  
NESHAP, Subpart AAAA  
NSPS, Subpart WWW  
NESHAP, Subpart CCCCCC  
NESHAP, Subpart ZZZZ  
NSPS, Subpart IIII

cc: Director, OAPP (electronic file submission)  
Manager, Data Analysis (electronic file submission)  
Chief, Air Enforcement Branch (3AP13), U.S. EPA, Region III



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### Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Waste Management of Virginia, Inc.  
Facility Name: Charles City County Landfill  
Facility Location: 8000 Chambers Road  
Charles City County, Virginia 23030  
Registration Number: 51254  
Permit Number: PRO-51254

**September 30, 2015**

Effective Date

**September 29, 2020**

Expiration Date

A handwritten signature in black ink, appearing to read "Kyle Ivar Winter".

Kyle Ivar Winter, P.E.

Deputy Regional Director

**March 23, 2016**

Signature Date

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Sections I through VIII)

State Only Enforceable Requirements (Section IX)

Table of Contents consist of 1 page.

Permit consists of 25 pages

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## **Facility Information**

### **Permittee**

Waste Management of Virginia, Inc.  
8000 Chambers Road  
Charles City County, Virginia 23030

### **Responsible Official**

Harold S. Thacker  
Director of Post Collection Operations

### **Facility**

Charles City County Landfill  
8000 Chambers Road  
Charles City County, Virginia 23030

### **Contact Person**

Raymond McGowan  
Area Engineer  
804/561-5787

**County-Plant Identification Number:** 51-036-0014

**Facility Description:** NAICS Code 562212 and SIC Code: 4953 - This facility consists of a municipal solid waste landfill that collects the landfill gas and burns it primarily in either an open flare or the gas is routed to a treatment system that processes the collected gas for subsequent sale or use to energy recovery device(s). The facility is a Title V major source of carbon monoxide (CO). This source is located in an attainment area for all pollutants, and is not a PSD major source. The construction of the gas collection and control system was previously permitted under a NSR Permit issued on February 10, 2003. The NSR permit was last updated on August 18, 2010. The initial Title V permit was issued on December 1, 2003, revised on December 1, 2005, revised on August 30, 2006 and previous renewal on November 15, 2010. This permit action is a Title V permit renewal. The renewal application was received on March 23, 2015 and was deemed timely and administratively complete on April 7, 2015. Therefore, the Title V permit application shield is in place.

The facility has identified a 500 gallon gasoline tank that dispenses less than 10,000 gallons per month and is applicable to 40 CFR 63, MACT Subpart CCCCCC.

The two (GEN-1 and 2) existing compression ignition (CI) internal combustion engine (ICE) are applicable to 40 CFR 63, MACT Subpart ZZZZ (built 2007) and 40 CFR 60, NSPS Subpart IIII (Section 60.4200(a)(3) through 60.4212). The four small portable (wheels) existing engines appear to be portable nonroad engines as they are moved around the site and a source of insignificant emissions.

**EMISSIONS UNITS-- (Control Units LO1, GDF-1, GEN-1 and GEN-2)**

1. Equipment List.

Equipment to be operated consists of:

| Emission Unit ID           | Emission Unit Description                           | Size/Rated Capacity*  | Pollution Control Device Description (PCD)    | PCD ID               | Stack ID             | Pollutant Controlled                                     | Applicable Permit Date              |
|----------------------------|---|---|---|----------------------|----------------------|--|-------------------------------------|
| <b>Landfill Operations</b> |   |   |   |                      |                      |  |                                     |
| LO1                        | Municipal Solid Waste Landfill operating since 1990 | 45,207,848 yd <sup>3</sup> with a maximum compaction of 1,800 lbs/yd <sup>3</sup> | Open flare rated at 3600 SCFM 1994            | D002                 | V002                 | NMOC designed and operated as in 40 CFR 60.18; VOC; HAPs | August 18, 2010                     |
|                            |   |   | Three Open flares rated at 2500 SCFM (Phased) | D003<br>D004<br>D005 | V003<br>V004<br>V005 | NMOC designed and operated as in 40 CFR 60.18; VOC; HAPs |                                     |
|                            |   |   | Two Open flares rated at 50 SCFM              | D006<br>D007         | V006<br>V007         | Solar powered, odor control.                             |                                     |
| GDF-1                      | Gasoline Tank                                       | 500 gallons   | None.   |                      |                      | VOC; HAPs.   | Exempt when installed.              |
| GEN-1                      | Katolight Diesel Generator                          | 200kW/275 HP  | None.   |                      |                      | PM, PM-10, NOx, CO, VOC, SO2, HAPS                       | Exempt when installed (Built 2007). |
| GEN-2                      | Katolight Diesel Generator                          | 415kW/563 HP  | None.   |                      |                      | PM, PM-10, NOx, CO, VOC, SO2, HAPS                       | Exempt when installed (Built 2007). |

\*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

**Landfill Requirements – (Units L01)**

**PROCESS AND CONTROL REQUIREMENTS**

2. **Design Capacity** - The measured design capacity of the MSW landfill is 45,207,848 yd<sup>3</sup> with a maximum compaction of 1,800 lbs/yd<sup>3</sup>. A change in the design capacity may require a State Air Pollution Control Board permit to construct and operate.  
(9 VAC 5-80-110 and Condition 2 of August 18, 2010 Permit)
3. **LFG collection and control system** - The permittee shall operate a landfill gas (LFG) collection and control system that:
  - a. Is designed to handle the maximum expected gas flow rate from the entire area of the landfill;
  - b. Collects gas from each area, cell or group of cells in which initial solid waste has been in place for a period of:
    - (1) 5 years or more if active; or
    - (2) 2 years or more if closed or at final grade;
  - c. Collects gas at a sufficient extraction rate;
  - d. Is operated with each wellhead under negative pressure except as provided in 40 CFR 60.753 (b).
  - e. Is operated with each interior wellhead in the collection system having a landfill gas temperature less than 55°C and having either a nitrogen content less than 20 percent, as determined by EPA Method 3C; or an oxygen content less than 5 percent, as determined by EPA Method 3A [or Method 3C]. The permittee may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.
  - f. Is designed to minimize off-site migration of subsurface gas;
  - g. Routes the collected landfill gas to a treatment system that processes the collected gas for subsequent sale or use to energy recovery device(s). All emissions from any atmospheric vent from the gas treatment system is subject to the requirements listed in 40 CFR 60.752 (b)(2)(iii) (A) and (B); **OR**
  - h. Controls landfill gas emissions by routing the collected landfill gas to a flare. The flare must meet the criteria in 40 CFR 60.18;
  - i. Maintains the methane concentration at the surface of the landfill at less than 500 ppmv above the background level.  
(9 VAC 5-80-110, 40 CFR 60.752-753, 40 CFR 60.755 and Condition 3 of August 18, 2010 Permit)
4. **Open Flare Requirements** - The four (4) open flares shall meet the criteria in 40 CFR 60.18.  
(9 VAC 5-80-110, 40 CFR 60.18 and Condition 4 of August 18, 2010 Permit)

5. **Dust Emission Control** - Unless otherwise specified, dust emission controls shall include the following or equivalent as a minimum:
- a. Dust from grading, cell construction, waste compaction, application of daily cover, wood waste chipping operations, storage piles and traffic areas shall be controlled by wet suppression or equivalent (as approved by the DEQ) control measures.
  - b. All material being stockpiled shall be kept moist to control dust during storage and handling, or covered to minimize emissions.
  - c. Dust from haul roads shall be controlled by wet suppression and prompt removal of dried sediment resulting from soil erosion and dirt spilled or tracked onto paved surfaces within the landfill.
  - d. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. Dirt spilled or tracked onto paved surfaces shall be promptly removed to prevent particulate matter from becoming airborne.

(9 VAC 5-80-110 and Condition 5 of August 18, 2010 Permit)

**OPERATIONAL STANDARDS**

6. **Operational Requirements** – The permittee shall demonstrate compliance with operational standards for the landfill gas collection and control system required by NSPS Subpart WWW (40 CFR 60.753) in accordance with appropriate subsection(s) of NSPS Subpart WWW (40 CFR 60.755). The permittee shall demonstrate compliance of the landfill gas collection and control system requirements of NSPS Subpart WWW (40 CFR 60.752) in accordance with appropriate subsection(s) of NSPS Subpart WWW (40 CFR 60.755). All reports required to demonstrate compliance with the compliance requirements of NSPS Subpart WWW (40 CFR 60.755) shall be prepared and submitted to the Piedmont Regional Office as required by NSPS Subpart WWW (40 CFR 60.755).  
(9 VAC 5-80-110, 40 CFR 60.752-753, 40 CFR 60.755 and Condition 6 of August 18, 2010 Permit)
7. **Operation of Landfill** - Except where this permit is more restrictive than the applicable requirement, the MSW landfill [gas collection and control system] shall be constructed and operated in accordance with 40 CFR 60, NSPS Subpart WWW.  
(9 VAC 5-80-110 and Condition 7 of August 18, 2010 Permit)
8. **Operation of LFG Control System** - The gas control system shall be in operation at all times when the collected gas is routed to the system.  
(9 VAC 5-80-110, 40 CFR 60.753 (f) and Condition 8 of August 18, 2010 Permit)
9. **Fuel** - The approved fuel for the open flares is landfill gas. The open flares may also use propane gas to ignite the pilot flame in the open flares. A change in fuel may require a permit to modify and operate.  
(9 VAC 5-80-110 and Condition 9 of August 18, 2010 Permit)



10. **Fuel** – The landfill collection and control system, which consists of the four (4) open flares [D002-D005] and shall consume no more than 4,572,700,000 ( $4.5727 \times 10^9$ ) cubic feet of landfill gas per year, calculated monthly as the sum of each consecutive 12 month period.  
(9 VAC 5-80-110 and Condition 10 of August 18, 2010 Permit)
11. **Hours of Operation** – The three open 2500 SCFM flares [D003-D005] shall operate no more than 17,520 hours per year, calculated monthly as the sum of the previous 12 month period and no more than two shall be operated at one time.  
(9 VAC 5-80-110 and Condition 11 of August 18, 2010 Permit)

### **EMISSION LIMITATIONS**

12. **Visible Emission Limit** – The open flares [D002-D005] shall be operated with no visible emissions, as determined by EPA Method 22, except for periods not to exceed a total of 5 minutes during two consecutive hours. This condition applies at all times except during startup, shutdown and malfunction.  
(9 VAC 5-80-110, 40 CFR 60.753, and Condition 12 of August 18, 2010 Permit)
13. **Emission Factors** - The following emission factors (or others approved by the Piedmont Regional Office) shall be used to calculate emissions from [D002-D005] open flares and [including] the existing 3600 scfm open flare:

|                                     |       |   |
|-------------------------------------|-------|---|
| Particulate Matter/PM <sub>10</sub> | 17.0  | lbs/mmcf CH <sub>4</sub>                      |
| Sulfur Dioxide                      | 8.9   | lbs/mmcf LFG*                                 |
| Nitrogen Oxides                     | 40.0  | lbs/mmcf CH <sub>4</sub> (2500/50 SCFM Flare) |
| Nitrogen Oxides                     | 0.068 | lbs/mmBtu (3600 SCFM Flare)                   |
| Carbon Monoxide                     | 0.15  | lbs/mmBtu                                     |
| Non-Methane Organic Compounds       | 6.5   | lbs/mmcf LFG*                                 |
| Volatile Organic Compounds          | 2.5   | lbs/mmcf LFG*                                 |

\*These emission factors are based on 60% methane in the LFG, which represents the maximum methane percentage the flare manufacturers will guarantee. Actual methane percentages may be less.

(9 VAC 5-80-110 and Condition 13 of August 18, 2010 Permit)

14. **Emission Limits** - Emissions from the operation of the 3600 SCFM open flare shall not exceed the limits specified below:

|   |             |                               |
|---|-------------|-------------------------------|
| Particulate Matter/PM <sub>10</sub> / PM <sub>2.5</sub> | 2.2 lbs/hr  | 9.7 tons/yr (9 VAC 5-50-260)  |
| Sulfur Dioxide  | 1.9 lbs/hr  | 8.5 tons/yr (9 VAC 5-50-260)  |
| Nitrogen Oxides   | 8.0 lbs/hr  | 35.2 tons/yr (9 VAC 5-50-260) |
| Carbon Monoxide   | 17.8 lbs/hr | 78.1 tons/yr (9 VAC 5-50-260) |
| Volatile Organic Compounds                              | 0.5 lbs/hr  | 2.4 tons/yr (9 VAC 5-50-260)  |
| Non-Methane Organic Compounds                           | 1.4 lbs/hr  | 6.1 tons/yr (9 VAC 5-50-260)  |

(9 VAC 5-80-110 and Condition 14 of August 18, 2010 Permit)

15. **Emission Limits** - Emissions from the operation of each of the three 2500 SCFM open flares shall not exceed the limits specified below:

|   |             |                               |
|---|-------------|-------------------------------|
| Particulate Matter/PM <sub>10</sub> / PM <sub>2.5</sub> | 1.5 lbs/hr  | 6.7 tons/yr (9 VAC 5-50-260)  |
| Sulfur Dioxide  | 1.3 lbs/hr  | 5.9 tons/yr (9 VAC 5-50-260)  |
| Nitrogen Oxides   | 3.6 lbs/hr  | 15.8 tons/yr (9 VAC 5-50-260) |
| Carbon Monoxide   | 12.3 lbs/hr | 53.9 tons/yr (9 VAC 5-50-260) |
| Volatile Organic Compounds                              | 0.4 lbs/hr  | 1.6 tons/yr (9 VAC 5-50-260)  |
| Non-Methane Organic Compounds                           | 1.0 lbs/hr  | 4.3 tons/yr (9 VAC 5-50-260)  |

(9 VAC 5-80-110 and Condition 15 of August 18, 2010 Permit)

16. **Emission Limits** - Emissions from the operation of each of the two 50 SCFM [solar powered odor control] open flares shall not exceed the limits specified below:

|                 |            |                              |
|-----------------|------------|------------------------------|
| Nitrogen Oxides | 0.1 lbs/hr | 0.3 tons/yr (9 VAC 5-50-260) |
| Carbon Monoxide | 0.2 lbs/hr | 1.1 tons/yr (9 VAC 5-50-260) |

(9 VAC 5-80-110 and Condition 16 of August 18, 2010 Permit)

17. **Emission Limits** - Emissions from the six (6) open flares shall not exceed the limits specified below:

|   |                                |
|---|--------------------------------|
| Particulate Matter/PM <sub>10</sub> / PM <sub>2.5</sub> | 23.3 tons/yr (9 VAC 5-50-260)  |
| Sulfur Dioxide  | 20.5 tons/yr (9 VAC 5-50-260)  |
| Nitrogen Oxides   | 67.3 tons/yr (9 VAC 5-50-260)  |
| Carbon Monoxide   | 188.0 tons/yr (9 VAC 5-50-260) |
| Volatile Organic Compounds                              | 5.7 tons/yr (9 VAC 5-50-260)   |
| Non-Methane Organic Compounds                           | 14.9 tons/yr (9 VAC 5-50-260)  |

(9 VAC 5-80-110 and Condition 17 of August 18, 2010 Permit)

#### **INITIAL COMPLIANCE DETERMINATION**

18. **Determination of NMOC Concentration and LFG Flow Rate** - After the installation of a gas collection and control system in compliance with 40 CFR 60.755, the permittee shall determine the actual NMOC concentration and LFG flow rate and shall calculate the NMOC emission rate in accordance with 40 CFR 60.754 (b) for determining when the gas collection and control system can be removed.  
 (9 VAC 5-80-110, 40 CFR 60.754 and Condition 18 of August 18, 2010 Permit)

19. **Visible Emissions Evaluation** - Visible Emission Evaluations (VEE) in accordance with 40 CFR Part 60, Appendix A, Method 22, shall be conducted by the permittee on the 2500 SCFM and 50 SCFM open flares. Each observations period shall be two (2) hours. The details of the tests are to be arranged with Director, Piedmont Regional Office. The permittee shall submit a test protocol at least 30 days prior to testing. The evaluation shall be performed within 60 days after achieving the maximum production rate at which the facility will be operated or within 180 days after initial start up of the new 2500 SCFM and 50 SCFM open flares. Should conditions prevent concurrent opacity observations, the Director, Piedmont Regional Office shall be notified in writing, within seven days, and visible emissions testing shall be rescheduled within 30 days. Rescheduled testing shall be conducted under the same conditions (as possible) as the initial performance tests. Two copies of the test result shall be submitted to the Director, Piedmont Regional Office within 45 days after test completion and shall conform to the test report format enclosed with this permit. (9 VAC 5-80-110 and Condition 19 of August 18, 2010 Permit)

#### **NOTIFICATIONS**

20. **Initial Notifications** - The permittee shall furnish written notification to the Director, Piedmont Region:
- a. The actual date on which installation of each 2500 SCFM open flare commenced within 30 days after such date.
  - b. The anticipated start-up date of each 2500 SCFM open flare postmarked not more than 60 days or less than 30 days prior to such date.
  - c. The actual start-up date of each 2500 SCFM open flare within 15 days after such date.

Copies of [electronic or] written notifications referenced in this items a through c above shall be sent to:

Associate Director  
Office of Air Enforcement (3AP10)  
U.S. Environmental Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029 [or]

[R3\\_APD\\_Permits@epa.gov](mailto:R3_APD_Permits@epa.gov)

(9 VAC 5-80-110, 40 CFR 60.756 and Condition 20 of August 18, 2010 Permit)

## **MONITORING**

21. **LFG Collection System Monitoring Requirements** - The operation of the gas collection system shall be monitored as follows:
- a. The following items shall be monitored each month:
    - 1. Gauge pressure, each well.
    - 2. LFG temperature, each well.
    - 3. Nitrogen concentration or oxygen concentration, each well.
  - b. The methane concentration at landfill surface shall be monitored at least once every quarter.  
(9 VAC 5-80-110, 40 CFR 60.756 (a), 40CFR 60.755(c)1 and Condition 21 of August 18, 2010 Permit)
22. **LFG Control System Monitoring Requirements** - The operation of the gas control system shall be monitored as follows:
- a. Gas flow, recorded at least once every 15 minutes.
  - b. For an open flare, the presence of the pilot flame or the flare flame shall be continuously monitored by a heat sensing device and recorded.  
(9 VAC 5-80-110, 40 CFR 60.756(c) and Condition 22 of August 18, 2010 Permit)
23. **Corrective Actions** - If monitoring demonstrates that the requirements of Condition 3 (b), (d), (e), (g), or (h) are not being met, corrective actions shall be taken as specified in 40 CFR 60.755 (a) (3) through (5) or 40 CFR 60.755 (c). If corrective actions are taken as specified in 40 CFR 60.755, the monitored exceedance is not a violation of the operational requirements of this permit or 40 CFR 60, NSPS Subpart WWW.  
(9 VAC 5-80-110, 40 CFR 60.755, 40 CFR 60.756 and Condition 23 of August 18, 2010 Permit)
24. **Equipment** – All monitoring equipment required to comply with NSPS Subpart WWW (40 CFR 60.756) shall be installed and operational within 180 days of the date of initial operation of the landfill gas collection and control system. Performance evaluation of the monitoring equipment shall take place during the initial performance test under NSPS Subpart WWW (40 CFR 60.752 and 40 CFR 60.754) or within 30 days thereafter. Two copies of the performance evaluation report shall be submitted to the Piedmont Regional Office within 45 days of the initial performance evaluation. Verification of satisfactory operation of monitoring equipment shall, at a minimum, include certification that manufacturer's written requirements or recommendations for installation, operation, and calibration of the devices have been followed.  
(9 VAC 5-80-110, 40 CFR 60.755, 40 CFR 60.756, 40 CFR 60.757 and Condition 24 of August 18, 2010 Permit)

25. **NSPS Requirements** – The landfill gas collection and control system shall be monitored and all appropriate data recorded as required in NSPS Subpart WWW (Subsection 60.756).  
(9 VAC 5-80-110, 40 CFR 60.756 and Condition 25 of August 18, 2010 Permit)
26. **Requirements by Reference**- Except where the permit is more restrictive than the applicable requirements, the landfill [landfill gas collection and control system] as described in condition 3 shall be operated in compliance with the requirements of 40 CFR 60, NSPS Subpart WWW and 40 CFR 63, MACT Subpart AAAA.  
(9 VAC 5-80-110, 40 CFR 60.756, 40 CFR 63.1930-1990 and Condition 26 of August 18, 2010 Permit)

#### **RECORDKEEPING**

27. **On-Site Records** - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the Director, Piedmont Regional Office. These records shall include, but are not limited to:
- a. Current maximum design capacity, current amount of refuse in place, and year by year refuse accumulation [or waste acceptance] rates.
  - b. Description, location, amount, and placement date of all non-degradable refuse including asbestos and demolition refuse placed in landfill areas that are excluded from landfill gas estimation or landfill gas collection and control.
  - c. Installation date and location of all newly installed wells.
  - d. Map or plot showing each existing and planned well in the gas collection system with each well uniquely identified.
  - e. Maximum expected gas flow rate.
  - f. Parameters monitored in Conditions 21 and 22 above.
  - g. The yearly throughput of landfill gas to the open flares [D002-D005], calculated monthly as the sum of each consecutive 12 month period.
  - h. The yearly hours of operation of the open flares [D003-D005], calculated monthly as the sum of each consecutive 12 month period.

These records shall be available for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-80-110, 40 CFR 60.758 and Condition 27 of August 18, 2010 Permit)

## **REPORTING**

28. **Semi-Annual Compliance Report** – A semi-annual compliance report shall be submitted to the Director, Piedmont Regional Office by the date specified below and shall contain the following:
- a. The initial performance test report for each new open flare shall contain the following information:

- i. The type of flare.
- ii. All visible emissions readings.
- iii. Heat content determination.
- iv. Gas flow rate or bypass measurement.
- v. Exit velocity determination.

- b. Value and length of time for exceedance of applicable parameters monitored under sections 40 CFR 60.756 (a), (b), (c), and (d);
- c. Description and duration of all periods when the control device was not working for a period exceeding 1 hour and length of time control device was not operating;
- d. All periods when the collection system was not operating in excess of 5 days;
- e. The location of each exceedance of the 500 parts per million surface methane concentration, and the concentration recorded at each location for which an exceedance was recorded as provided in 40 CFR 60.755 (c);
- f. The date of installation and the location of each well or collection system expansion added pursuant to paragraphs (a) (3), (b), and (c) (4) of 60.755.

Items (b) through (f) shall be submitted every six months. Semi-annual report shall cover the calendar year (January through June and July through December). One copy of the reports shall be submitted to U.S. Environmental Protection Agency at the address specified in condition 20. The [semi-] annual [NSPS] reports and NESHAP Subpart AAAA semi-annual reports (Subsection 63.1930), shall be submitted by March 1 and September 1 of the calendar year. (9 VAC 5-80-110, 40 CFR 60.755, 40 CFR 60.756, 40 CFR 60.757, 40 CFR 63.1930 and Condition 28 of August 18, 2010 Permit)

29. **Closure Report** - The permittee shall submit a closure report to the Director, Piedmont Regional Office within 30 days of the date the MSW landfill stopped accepting waste.
- a. The equipment removal report shall contain all of the following items:
    - i. A copy of the closure report submitted in accordance with 40 CFR 60.757(d);
    - ii. A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and
    - iii. Dated copies of three successive NMOC emission rate reports demonstrating that the landfill is no longer producing 50 megagrams or greater of NMOC per year.
  - b. The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in 40 CFR 60.752(b)(2)(v) below have been met. The collection and control system may be capped or removed provided that all the conditions of paragraphs 40 CFR 60.752(b)(2)(v) (A), (B), and (C) are met:
    - i. The landfill shall be a closed landfill as defined in 40 CFR 60.751. A closure report shall be submitted to the Administrator as provided in 40 CFR 60.757(d);
    - ii. The collection and control system shall have been in operation a minimum of 15 years; and
    - iii. Following the procedures specified in 40 CFR 60.754(b), the calculated NMOC gas produced by the landfill shall be less than 50 megagrams per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart.

(9 VAC 5-80-110, 40 CFR 60.757, 40 CFR 63.1930 and Condition 29 of August 18, 2010 Permit)

30. **Equipment Removal Report** - The permittee shall submit an equipment removal report to the Director, Piedmont Regional Office 30 days prior to the removal or cessation of operation of the control equipment.  
(9 VAC 5-80-110, 40 CFR 60.757 and Condition 30 of August 18, 2010 Permit)
31. **Annual Emission Report for Fee Calculation** - The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the department.  
(9 VAC 5-80-110 and Condition 31 of August 18, 2010 Permit)
32. **Testing/Monitoring Ports** - The permitted facility shall be constructed so as to allow for emissions testing and monitoring upon reasonable notice at any time, using appropriate methods. Test ports shall be provided at the appropriate locations.  
(9 VAC 5-80-110 and Condition 32 of August 18, 2010 Permit)

#### **Facility-wide Landfill Reporting Requirements**

33. **Landfill Reporting - National Emissions Standards for Hazardous Air Pollutants** - The Landfill 'MACT' (40 CFR 63 Subpart AAAA), published January 16, 2003, includes the following additional requirements for affected MSW landfills.
  - a. Those affected sources defined as 'existing landfills' shall be in compliance with the specific items included in 40 CFR Part 63, Subpart AAAA by January 16, 2004.
  - b. A "Startup, shutdown and malfunction" (SSM) Plan shall be developed and implemented for the facility. A copy shall be available on site for inspection by the DEQ and shall contain all revisions for the most recent five (5) years. (40 CFR 63.6(e)(3) and 40 CFR 63.1960)
  - c. Annual reports of the operation of the GCCS, as required by the NSPS, Subpart 60.757(f), will be required semi-annually beginning with the first report after the compliance date of January 16, 2004. The time periods to be addressed are January 1 to June 30 and July 1 to December 31. (40 CFR 63.1980)
  - d. Semiannual reports are required by 40 CFR 63, Subpart AAAA and 40 CFR 63.10(d)(5). The time periods to be addressed are January 1 to June 30 and July 1 to December 31. SSM Reports shall be submitted on March 1 and September 1 of each calendar year. The SSM plan (report) should include the following:
    1. Each SSM event and a description of how thorough the facility complied with each item contained in the SSM Plan.
    2. Inconsistent actions taken by the facility during an SSM event must be recorded within two working days of the event and a letter must be submitted to the Administrator within seven days of the event.
    3. Any new actions that are indicated as appropriate during an SSM event shall be incorporated in a new SSM Plan.

4. Any revisions to the SSM Plan for the period.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.  
(9 VAC 5-80-110 and 40 CFR 63, Subpart AAAA)

#### **Facility-wide Requirements Gasoline Dispensing Facility Requirements**

34. **Facility-wide Gasoline Dispensing Requirements - (emission unit ID # GDF-1) – Limitations** – Except where this permit is more restrictive than the applicable requirement, the MACT equipment as described in Condition I shall be operated in compliance with the requirements of 40 CFR 63, Subpart CCCCCC (when storing gasoline). The facility shall, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. The facility shall keep applicable records as specified in §63.11125(d) and §63.11126(b). Based on the monthly throughput of gasoline at the landfill facility (less than 10,000 gallons/month), the following recordkeeping and work practice standards listed in 40 CFR 63.11116 apply to the facility:
- a. The facility must not allow gasoline to be handled in a manner that would result in a vapor release to the atmosphere for an extended periods of time. Measures include, but are not limited to, the following:
    - (1) Minimize gasoline spills;
    - (2) Clean up spills as expeditiously as practicable;
    - (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
    - (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
  - b. The facility is not required to submit notifications or reports as specified in §63.11125, §63.11126, or subpart A of this part, but you must have records available within 24 hours of a request by the Administrator to document your gasoline throughput.
  - c. The facility must comply with the requirements of this subpart by the applicable dates specified in §63.11113 (January 24, 2014).
  - d. Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph (a)(3) of this section.
- The gasoline throughput records and applicable records as specified in §63.11125(d) and §63.11126(b) shall be available for inspection by the DEQ and shall be current for the most recent five years.  
(9 VAC 5-80-110, 40 CFR §63.11113, §63.11116, §63.11125 and §63.11126)



### **Facility-wide Emergency Generators Requirements**

35. **Facility-wide Emergency Generator (Emission Unit ID# GEN-1 and GEN-2) - Federal Requirements –**  
Except where this permit is more restrictive than the applicable requirement, the emergency diesel generators (GEN-1 and GEN-2) are subject to 40 CFR 63 MACT Subpart ZZZZ and is subject to applicable requirement under 40 CFR 60 NSPS Subpart IIII. The facility shall notify the Administrator of the installation or replacement or modification of any diesel engine on site. This may result in the applicability of additional requirements under 40 CFR 60 NSPS Subpart IIII or NSPS Subpart JJJJ and/or 40 CFR 63 MACT Subpart ZZZZ.  
(9 VAC 5-80-110 and FR 63.6510)
36. **Facility-wide Emergency Generator (Emission Unit ID# GEN-1 and GEN-2) - Federal Requirements –**  
Except where this permit is more restrictive than the applicable requirement, the emergency diesel generators (GEN-1 and GEN-2) are subject to the emission standards of 40 CFR 60, NSPS Subpart IIII (40 CFR §60.4200 through §60.4212) [as the means to comply with MACT Subpart ZZZZ]. The emission standards required by 40 CFR §60.4200(a)(2), §60.4202(a)(2), and §60.4205(b) and certification from the manufacturer shall be based on requirements in 40 CFR §89.112 and 40 CFR §89.113. The emergency diesel generators shall meet the emission standards over the life of the engine per 40 CFR §60.4206. The fuel requirements found in 40 CFR §60.4207 and §80.510 to burn ultra low sulfur diesel fuel apply, except the engines may burn existing fuel stocks per 40 CFR §60.4207(b). As per the requirement of 40 CFR §60.4209, a non-resettable hour meter shall be installed on each unit and shall meet the monitoring requirements of 40 CFR §60.4209 that apply. Compliance requirements as per 40 CFR §60.4211 shall be met including emergency stationary ICE operational requirements found in 40 CFR §60.4211(a)&(c) and specifically §60.4211(f). The emergency stationary engines must be installed and configured according to the manufacturer's specifications. Emissions shall be controlled by the use of good operating practices and performing appropriate maintenance in accordance with the manufacturer recommendations. The permittee shall operate the emergency stationary ICE according to the requirements in paragraphs (f)(1) through (3) of §60.4211. The permittee shall keep records supporting the requirements of 40 CFR 60, NSPS Subpart IIII (40 CFR §60.4200 through §60.4212). If the emergency diesel generator(s) are modified and/or needs performance testing for any reason, the requirements in 40 CFR §60.4212 shall apply. The general provisions found in Table 8 to Subpart IIII of Part 60 shall apply as noted.  
(9 VAC 5-80-110 and 40 CFR 60.4200)

### Insignificant Emission Units

37. The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

| Emission Unit No. | Emission Unit Description                  | Citation (9 VAC_) | Pollutant(s) Emitted (9 VAC 5-80-720B) | Rated Capacity (9 VAC 5-80-720C) |
|-------------------|--|-------------------|--|----------------------------------|
| P01               | Used oil tank                              | 5-80-720 C        | VOC                                    | 500 gallons                      |
| P02               | #2 fuel oil tank (ultra-low sulfur)        | 5-80-720 B        | VOC                                    | 10,000 gallons                   |
| P04               | Hydraulic Fluid tank                       | 5-80-720 C        | VOC                                    | 500 gallons                      |
| P05               | Engine Oil tank                            | 5-80-720 C        | VOC                                    | 300 gallons                      |
| P06               | Transmission Fluid tank                    | 5-80-720 C        | VOC                                    | 300 gallons                      |
| P07               | Propane tank (at shop)                     | 5-80-720 B        | VOC                                    | 1,000 gallons                    |
| P08               | Leachate storage tank                      | 5-80-720 B        | VOC/HAPS                               | 225,000 gallons                  |
| P09               | Leachate storage tank                      | 5-80-720 B        | VOC/HAPS                               | 225,000 gallons                  |
| P10               | Leachate tank                              | 5-80-720 B        | VOC/HAPS                               | 8,000 gallons                    |
| P11               | Transmission fluid tank                    | 5-80-720 B        | VOC                                    | 500 gallons                      |
| P12               | Propane tank (at Flare)                    | 5-80-720B         | VOC                                    | 500 gallons                      |
| P13               | Diesel Fuel Tank Shop Generator            | 5-80-720 B        | VOC                                    | 500 gallons                      |
| P14               | Diesel Fuel Tank Shop Generator            | 5-80-720 B        | VOC                                    | 540 gallons                      |
| P15               | Diesel Fuel Tank Flare Generator           | 5-80-720 B        | VOC                                    | 835 gallons                      |
| ST1               | Diesel Fuel Tank (on service truck)        | 5-80-720B         | VOC                                    | 2,845 gallons                    |
| ST2               | Antifreeze Tank (on service truck)         | 5-80-720C         | VOC                                    | 65 gallons                       |
| ST3               | Bulk Oil 50 Weight Tank (on service truck) | 5-80-720C         | VOC                                    | 110 gallons                      |
| ST4               | Hydraulic Oil Tank (on service truck)      | 5-80-720C         | VOC                                    | 200 gallons                      |
| ST5               | Lube Oil Tank (on service truck)           | 5-80-720C         | VOC                                    | 110 gallons                      |
| ST6               | Bulk Oil 30 Weight Tank (on service truck) | 5-80-720C         | VOC                                    | 110 gallons                      |
| ST7               | Used Oil Tank (on service truck)           | 5-80-720C         | VOC                                    | 200 gallons                      |
| ST8               | Hydraulic Oil Tank (on service truck)      | 5-80-720C         | VOC                                    | 50 gallons                       |
| ST9               | Lube Oil Tank (on service truck)           | 5-80-720C         | VOC                                    | 30 gallons                       |
| WELD-1            | Welder (on service truck)                  | 5-80-720A         | PM                                     | 225 amps                         |
| AC-1              | Air Compressor (Oil Service Truck)         | 5-80-720C         | NOx, CO, VOC, SO2, PM, HAPS            | 12 HP                            |
| AC-2              | Dewalt Air Compressor (landfill)           | 5-80-720C         | NOx, CO, VOC, SO2, PM, HAPS            | 1.8 HP                           |

| Emission Unit No. | Emission Unit Description | Citation (9 VAC...) | Pollutant(s) Emitted (9 VAC 5-80-720B) | Rated Capacity (9 VAC 5-80-720C) |
|-------------------|---------------------------|---------------------|--|----------------------------------|
| PH-1              | Portable Heater (at shop) | 5-80-720C           | NOx, CO, VOC, SO2, PM, HAPS            | 170,000 Btus/hour                |
| LP-1              | Site Lite Light Plant     | 5-80-720C           | NOx, CO, VOC, SO2, PM, HAPS            | 25 amps                          |
| PUMP-1            | Diesel Water Pump         | 5-80-720C           | NOx, CO, VOC, SO2, PM, HAPS            | 24 HP                            |
| PUMP-2            | Diesel Water Pump         | 5-80-720C           | NOx, CO, VOC, SO2, PM, HAPS            | Unknown HP (from 1970's)         |
| PUMP-3            | Diesel Water Pump         | 5-80-720C           | NOx, CO, VOC, SO2, PM, HAPS            | 8 HP                             |

Specifications included in the permit under this Condition are for informational purposes only and do not form enforceable terms or conditions of the permit.

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

#### Compliance Plan

38. Not applicable.

#### Future Applicable Landfill Requirements

39. Not applicable.

### Permit Shield & Inapplicable Requirements

40. Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

| Citation   | Title of Citation   | Description of Applicability  |
|--|---|---|
| Existing Source Rule 4-43 (9 VAC 5-40-5800) and 40 CFR 60 subpart Cc   | Emission Standards and Emission Guidelines for Sanitary Landfills | These regulations only apply to municipal solid waste landfills which commenced construction, reconstruction or modification before May 30 1991.  |
| Existing Source Rule 4-25 (9 VAC 5-40-3410) and 4-37 (9 VAC 5-40-5200) and 40 CFR 60, Subpart NSPS Kb, 40 CFR 64 | Emission Standards for Tanks                                      | This landfill does not have a "Qualifying Facility."  |
|  | Compliance Assurance Monitoring                                   | Generally, the requirements of Compliance Assurance Monitoring (CAM) for landfills do not apply because 40 CFR 64.2(b) "Exemptions—(1) Exempt emission limitations or standards. The requirements of this part shall not apply to any of the following emission limitations or standards: (i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act." Since the landfill facility is subject to the requirements of NSPS Subpart WWW and MACT AAAA, CAM does not apply. |
| 40 CFR 75  | Acid Rain Regulations   | This landfill does not have a "Qualifying Facility."  |
| 40 CFR Parts 51, 52, 70 and 71   | Title V Greenhouse Gas Tailoring Rule,                            | Title V Greenhouse Gas Tailoring Rule, 40 CFR Parts 51, 52, 70 and 71, does not apply to the facility as it is an existing PSD source not currently subject to PSD modification for any pollutant.  |
| Existing Source Rule 4-8 (9 VAC 5-40-880)  | Emission Standards for Fuel Burning Equipment                     | "E. The provisions of this article do not apply to stationary internal combustion engines."   |

Nothing in this permit shield shall alter the provisions of § 303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to § 114 of the federal Clean Air Act, (ii) the Board pursuant to § 10.1-1314 or § 10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to § 10.1-1307.3 of the Virginia Air Pollution Control Law.  
(9 VAC 5-80-140)

## GENERAL CONDITIONS

41. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.  
(9 VAC 5-80-110 N)
42. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
43. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
44. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
45. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
46. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)
47. **General Conditions - Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.  
(9 VAC 5-80-80 B, C, and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

48. **General Conditions -Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
- a. The date, place as defined in the permit, and time of sampling or measurements;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of such analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.
- (9 VAC 5-80-110 F)
49. **General Conditions -Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.  
(9 VAC 5-80-110 F)
50. **General Conditions -Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than **March 1** and **September 1** of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:
- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and
  - b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
    - i. Exceedance of emissions limitations or operational restrictions;
    - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
    - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9 VAC 5-80-110 F)

51. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to § 114(a)(3) and § 504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;
- e. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

[R3\\_APD\\_Permits@epa.gov](mailto:R3_APD_Permits@epa.gov)

(9 VAC 5-80-110 K.5)

52. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, Piedmont Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 60 of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

53. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Piedmont Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9 VAC 5-40-50 C and 9 VAC 5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9 VAC 5-40-40 and 9 VAC 5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Piedmont Regional Office.  
(9 VAC 5-20-180 C)
54. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.  
(9 VAC 5-80-110 G.1)
55. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.  
(9 VAC 5-80-110 G.2)
56. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.  
(9 VAC 5-80-110 G.3)
57. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.  
(9 VAC 5-80-190 and 9 VAC 5-80-260)
58. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.  
(9 VAC 5-80-110 G.5)



59. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.  
(9 VAC 5-80-110 G.6)
60. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.  
(9 VAC 5-80-110 K.1)
61. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9 VAC 5-80-2310 through 9 VAC 5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9 VAC 5-80-2340, adjusted annually by the change in the Consumer Price Index.  
(9 VAC 5-80-110 H, 9 VAC 5-80-340 C and 9 VAC 5-80-2340 B)
62. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:
- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
  - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
  - c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
  - d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,

- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-50-90)

63. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board; which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E)

64. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

65. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
- c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
- d. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

66. **General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F. The conditions for reopening a permit are as follows:
- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
  - b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
  - c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.
- (9 VAC 5-80-110 L)
67. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
- (9 VAC 5-80-150 E)
68. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
- (9 VAC 5-80-160)
69. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
- (9 VAC 5-80-160)
70. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.
- (9 VAC 5-80-160)

71. **General Conditions - Malfunction as an Affirmative Defense** - A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of the following condition are met.  
(9 VAC 5-80-250)
72. **General Conditions - Malfunction as an Affirmative Defense** - The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
- a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
  - b. The permitted facility was at the time being properly operated.
  - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
  - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.
- (9 VAC 5-80-250)
73. **General Conditions - Malfunction as an Affirmative Defense** - In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.  
(9 VAC 5-80-250)
74. **General Conditions - Malfunction as an Affirmative Defense** - The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.  
(9 VAC 5-80-250)

75. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.  
(9 VAC 5-80-190 C and 9 VAC 5-80-260)
76. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.  
(9 VAC 5-80-80 E)
77. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.  
(40 CFR Part 82, Subparts A-F)
78. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).  
(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)
79. **General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.  
(40 CFR Part 68)
80. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.  
(9 VAC 5-80-110 I)

81. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
- a. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
  - b. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
  - c. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.
- (9 VAC 5-80-110 I)

### **State-Only Enforceable Requirements**

The following terms and conditions are not required under the federal Clean Air Act or under any of its applicable federal requirements, and are not subject to the requirements of 9 VAC 5-80-290 concerning review of proposed permits by EPA and draft permits by affected states.

82. **Odor Management Plan:** The Odor Management and Control Plan describing the practices and technology that will be used to minimize off-site odors and to address odor complaints that may occur shall be an enforceable part of this permit. The plan shall incorporate the use of best available odor control technology that is appropriate for this landfill. The plan shall also describe procedures that will be implemented in response to citizen odor complaints or the detection of significant off-site odors by DEQ staff, including progressive steps that will be taken to reduce odors. A log of all odor complaints received and actions taken shall be kept and made available for inspection by authorized Federal, State or Local officials. The Odor Management and Control Plan shall be reviewed annually by the Facility and evaluated for the need and feasibility of new or modified odor control technology or practices. Results of the annual plan review, a modified plan (Both optional submittals) and a copy of the log shall be submitted to the Piedmont Regional Office by the first day of March of each year.  
(9 VAC 5-50-110N and condition 43 of the NSR Permit dated August 18, 2010)

## APPENDIX A - TITLE V ANNUAL COMPLIANCE CERTIFICATION

To: **Air Compliance Manager**  
**Department of Environmental Quality – Piedmont Regional Office**  
**4949-A Cox Road**  
**Glen Allen, VA 23060**

From: (Facility Name)

Registration No. \_\_\_\_\_

Re: TITLE V ANNUAL COMPLIANCE CERTIFICATION

Date:

Please find attached our Title V Annual Compliance Certification for the period from \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_. It identifies each term or condition of the permit that is the basis of the certification. All deviations and periods of non-compliance for the period have been addressed in semi-annual monitoring reports that have either been previously submitted or are enclosed.

**Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
(Signature )

\_\_\_\_\_  
(Name & Title)

cc: Director, Air and Waste Division (Mail drop 3AP00)  
United States Environmental Protection Agency -- Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

*(Annual Compliance Certifications are due 60 days following end of reporting period.)*



## APPENDIX B - PROMPT DEVIATION REPORT

To: Air Compliance Manager  
Department of Environmental Quality – Piedmont Regional Office  
4949-A Cox Road  
Glen Allen, VA 23060

From:

(Facility Name)  
Reg. No. \_\_\_\_\_

Re: PROMPT DEVIATION REPORT – Pursuant to Title V Permit

Date:

This confirms the deviation reported to the Regional Office at \_\_\_\_\_ o'clock on \_\_\_\_/\_\_\_\_/\_\_\_\_. The details are described below. The deviation may have caused excess emissions for more than one hour, consistent with specified averaging times. None of these deviations were related to a malfunction.

|  |                  |                     |
|--|------------------|---------------------|
| Start date & time:   | End date & time: | Estimated Duration: |
| Deviation from which permit condition ( <i>condition number and brief description</i> ):               |                  |                     |
| Description of incident ( <i>including emission unit affected</i> ):                                   |                  |                     |
| Description of Monitoring Requirement for affected unit(s):  |                  |                     |
| Probable cause:  |                  |                     |
| Description of corrective measures taken ( <i>demonstrating a timely &amp; appropriate response</i> ): |                  |                     |
| Description of preventive measures taken:  |                  |                     |

**Certification:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
(Signature )

\_\_\_\_\_  
(Name & Title)

## APPENDIX C - SEMI-ANNUAL MONITORING REPORT

To: Air Compliance Manager  
Department of Environmental Quality – Piedmont Regional Office  
4949-A Cox Road  
Glen Allen, VA 23060

From: (Facility Name)

Reg. No. \_\_\_\_\_

Re: SEMI-ANNUAL MONITORING REPORT – Pursuant to Title V Permit

Date:

The following monitoring report is submitted as required by our Title V permit. For the purposes of this report, deviation means (1) exceedances of emission limits, as determined by such means as stack testing, continuous emission monitors, parametric monitoring and EPA Method 9 visible emission evaluations; (2) excursions from control device operating parameter requirements such as afterburner temperature, scrubber flow rate, baghouse pressure drop; (3) excursions from operational restrictions things such as throughput, fuel quality, and coating VOC and HAP content; and (4) failure to meet monitoring, record keeping or reporting requirements. The report addresses all data points, which are above a standard, limit etc, according to the averaging period, if any, specified in the permit. If no averaging period is specified in the permit, then any monitored reading is considered a deviation to be reported. Deviations are reported regardless of whether they may have caused excess emissions or whether they were the result of a malfunction.

The period covered by the report is from \_\_\_\_/\_\_\_\_/\_\_\_\_ to \_\_\_\_/\_\_\_\_/\_\_\_\_.

During the reporting period:

☐ No deviations from permit requirements occurred during this semi-annual reporting period. (We conducted all required monitoring and associated record keeping and reporting. Required monitoring revealed no deviations from permit requirements. )

☐ We failed to conduct required monitoring/record keeping/reporting as explained on the attached form.

☐ We identified deviations as a result of required monitoring:

☐ Deviations were addressed in CEM Excess Emission Report(s) dated: \_\_\_\_\_

☐ Deviations were addressed in Fuel Report(s) dated: \_\_\_\_\_

☐ Deviations were addressed in MACT Report(s) dated: \_\_\_\_\_

☐ Deviations due to malfunctions were addressed in letters dated: \_\_\_\_\_

☐ Deviations were addressed in other report(s) dated: \_\_\_\_\_

Type of report: \_\_\_\_\_

☐ Deviations were previously described in Prompt Deviation Reports dated: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ "Other" deviations, which were not previously reported, are described in the attachment.

Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering and evaluating the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

\_\_\_\_\_  
(Signature )

\_\_\_\_\_  
(Name & Title)

## Appendix D – Failure to Monitor

Page \_\_\_\_ of \_\_\_\_

Submitted as Part of Semi-Annual Monitoring Report

[illegible]

**Annual Compliance Certification**

Registration No. \_\_\_\_\_

**"OTHER" DEVIATIONS**

Registration No. \_\_\_\_\_

Submitted as Part of Semi-Annual Monitoring Report

| <b>Condition No. &amp;<br/>Description of<br/>Requirement</b> | <b>Description of Deviation<br/>(time, emission unit,<br/>description of event,<br/>cause)</b> | <b>Description of<br/>Associated Monitoring<br/>Requirement</b> | <b>Description of corrective<br/>measures taken<br/>(demonstrating a timely &amp;<br/>appropriate response)</b> |
|---|--|---|---|
|   |  |   |   |
|   |  |   |   |
|   |  |   |   |
|   |  |   |   |
|   |  |   |   |
|   |  |   |   |

(Report deviations which may have caused excess emissions for more than one hour on a deviation report form, not here.)